

**U.S. District Court**  
**Eastern District of New York (Brooklyn)**  
**CIVIL DOCKET FOR CASE #: 1:20-cv-00711-PKC-PK**

Salerno v. The Coca-Cola Company  
Assigned to: Judge Pamela K. Chen  
Referred to: Magistrate Judge Peggy Kuo  
Demand: \$5,000,000  
Cause: 28:1332 Diversity-Fraud

Date Filed: 02/08/2020  
Date Terminated: 07/07/2020  
Jury Demand: Plaintiff  
Nature of Suit: 370 Fraud or Truth-In-Lending  
Jurisdiction: Diversity

**Plaintiff**

**Monique Salerno**  
*individually and on behalf of all others*  
*similarly situated*

represented by **Spencer I. Sheehan**  
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**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**The Coca-Cola Company**

represented by **Jane Metcalf**  
Patterson Belknap Webb & Tyler LLP  
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New York, NY 10036  
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**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
02/08/2020	<u>I</u> <u>1</u>	COMPLAINT against The Coca-Cola Company filing fee \$ 400, receipt number ANYEDC-12362818 Was the Disclosure Statement on Civil Cover Sheet completed -NO., filed by Monique Salerno. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Proposed Summons) (Sheehan, Spencer) (Entered: 02/08/2020)
02/08/2020	<u>I</u>	

Case Assigned to Judge Pamela K. Chen and Magistrate Judge Peggy Kuo. Please download and review the Individual Practices of the assigned Judges, located on our [website](#). Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (Bowens, Priscilla) (Entered: 02/10/2020)

02/10/2020	<u>I</u> <u>2</u>	Summons Issued as to The Coca-Cola Company. (Bowens, Priscilla) (Entered: 02/10/2020)
02/10/2020	<u>I</u> <u>3</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically <b>only if all</b> parties wish to consent. The form may also be accessed at the following link: <a href="http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf">http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf</a> . <b>You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent.</b> (Bowens, Priscilla) (Entered: 02/10/2020)
02/10/2020	<u>I</u> <u>4</u>	This attorney case opening filing has been checked for quality control. See the attachment for corrections that were made, if any. (Bowens, Priscilla) (Entered: 02/10/2020)
02/10/2020	<u>I</u> <u>5</u>	SCHEDULING ORDER: An Initial Conference will be held in this case on <b>May 12, 2020 at 10:00 a.m.</b> before Peggy Kuo, United States Magistrate Judge, in Courtroom 11C South of the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York. <b>All counsel are required to attend.</b> Counsel are directed to the annexed Initial Conference Order for instructions. At least five days before the Conference, the parties must file a <b>joint</b> and completed copy of the Proposed Discovery Plan, a PDF version of which may be found at: <a href="https://www.nyed.uscourts.gov/pub/PK-discovplan.pdf">https://www.nyed.uscourts.gov/pub/PK-discovplan.pdf</a> Any request for adjournment of this or any other conference must be made in writing on notice to opposing parties, and must disclose whether or not all parties consent. No request for adjournment will be considered unless made at least <b>two (2) business days</b> before the scheduled conference, except in the event of an emergency. <b>Counsel with knowledge and authority must be present. Per diem counsel may not appear without prior permission of the Court.</b> Plaintiffs counsel is directed to ensure that defendant is aware of this conference. Ordered by Magistrate Judge Peggy Kuo on 2/10/2020. (Riquelme, Claudia) (Entered: 02/10/2020)
04/21/2020	<u>I</u>	SCHEDULING ORDER: The Initial Conference scheduled for <b>May 12, 2020 at 10:00 a.m.</b> before the Honorable Peggy Kuo has been converted from an in-person conference to a Telephone Conference. The parties are directed to call toll free <b>(877) 336-1274</b> and input the Access Code <b>1453850</b> at the time of the Conference. No additional security code is needed. Once all parties are on the line, the call will be connected. <b>All counsel are required to attend.</b> No request for adjournment will be considered unless made at least <b>two (2) business days</b> before the scheduled conference, except in the event of an emergency. <b>Counsel with knowledge and authority must be present. Per diem counsel may not appear without prior permission of the Court.</b> Plaintiff's counsel is directed to ensure Defendant is aware of this conference change. Ordered by Magistrate Judge Peggy Kuo on 4/21/2020. (O'Neil-Berven, Ryan) (Entered: 04/21/2020)
05/02/2020	<u>I</u> <u>6</u>	WAIVER OF SERVICE Returned Executed by Monique Salerno. The Coca-Cola Company waiver sent on 5/1/2020, answer due 6/30/2020. (Sheehan, Spencer) (Entered: 05/02/2020)
05/02/2020	<u>I</u> <u>7</u>	Joint MOTION to Adjourn Conference <i>Initial Conference of May 12, 2020</i> by Monique Salerno. (Sheehan, Spencer) (Entered: 05/02/2020)
05/04/2020	<u>I</u>	ORDER granting <u>7</u> Motion to Adjourn Conference. The Initial Conference is adjourned to <b>July 16, 2020 at 10:00 a.m.</b> in Courtroom 11C South before Magistrate Judge Peggy Kuo. At least five days before the Conference, the parties must file a <b>joint</b> and completed copy of the Proposed Discovery Plan, a PDF version of which may be found at:

<https://img.nyed.uscourts.gov/files/forms/PK-discovplan.pdf>. Plaintiff's counsel is directed to ensure defendant is aware of this conference change. Ordered by Magistrate Judge Peggy Kuo on 5/4/2020. (O'Neil-Berven, Ryan) (Entered: 05/04/2020)

06/01/2020	I	SCHEDULING ORDER: The Initial Conference scheduled for <b>July 16, 2020 at 10:00 a.m.</b> before the Honorable Peggy Kuo has been converted from an in-person conference to a Telephone Conference. The parties are directed to call toll free <b>(877) 336-1274</b> and input the Access Code <b>1453850</b> at the time of the Conference. No additional security code is needed. Once all parties are on the line, the call will be connected. Plaintiff's counsel is directed to ensure defendant is aware of this conference change. Ordered by Magistrate Judge Peggy Kuo on 6/1/2020. (O'Neil-Berven, Ryan) (Entered: 06/01/2020)
06/30/2020	I 8	NOTICE of Appearance by Steven Alan Zalesin on behalf of The Coca-Cola Company (aty to be noticed) (Zalesin, Steven) (Entered: 06/30/2020)
06/30/2020	I 9	NOTICE of Appearance by Jane Metcalf on behalf of The Coca-Cola Company (aty to be noticed) (Metcalf, Jane) (Entered: 06/30/2020)
06/30/2020	I 10	Corporate Disclosure Statement by The Coca-Cola Company identifying Corporate Parent no parent corporation for The Coca-Cola Company. (Zalesin, Steven) (Entered: 06/30/2020)
06/30/2020	I 11	Letter MOTION for pre motion conference by The Coca-Cola Company. (Zalesin, Steven) (Entered: 06/30/2020)
07/07/2020	I 12	Letter <i>in Response to Defendant's June 30, 2020 Request for Pre-Motion Conference (ECF No. 11) and Consenting to Transfer</i> by Monique Salerno (Reese, Michael) (Entered: 07/07/2020)
07/07/2020	I	ORDER: The <u>12</u> letter consenting to the transfer this action to the Southern District of New York is So Ordered. Ordered by Judge Pamela K. Chen on 7/7/2020. (Abdallah, Fida) (Entered: 07/07/2020)
07/07/2020	I	Case electronically transferred to the Southern District of New York. <b>ALL FILINGS ARE TO BE MADE IN THE TRANSFER COURT, DO NOT DOCKET TO THIS CASE.</b> (Abdallah, Fida) (Entered: 07/07/2020)